



February 20, 2009

SENATE BILL No. 160

DIGEST OF SB 160 (Updated February 18, 2009 12:30 pm - DI 102)

Citations Affected: IC 10-13; IC 22-12; IC 25-1; IC 25-9; IC 35-45; noncode.

Synopsis: Regulation of boxing, sparring, and unarmed combat. Changes the "state boxing commission" to the "state athletic commission." Requires the Indiana gaming commission to oversee the state athletic commission. (Current provisions require the professional licensing agency to oversee the state boxing commission.) Requires the state athletic commission to regulate unarmed combat matches and exhibitions. Allows the state athletic commission to adopt rules to regulate the conduct of mixed martial arts, martial arts, and professional wrestling. Makes various other conforming changes.

Effective: July 1, 2009.

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January 7, 2009, read first time and referred to Committee on Rules and Legislative Procedure.

January 29, 2009, amended; reassigned to Committee on Pensions and Labor.

February 19, 2009, amended, reported favorably — Do Pass.

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SB 160—LS 6430/DI 13+



February 20, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

SENATE BILL No. 160

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 10-13-3-38.5, AS AMENDED BY P.L.1-2006,
2 SECTION 173, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2009]: Sec. 38.5. (a) Under federal P.L.92-544
4 (86 Stat. 1115), the department may use an individual's fingerprints
5 submitted by the individual for the following purposes:
6 (1) Determining the individual's suitability for employment with
7 the state, or as an employee of a contractor of the state, in a
8 position:
9 (A) that has a job description that includes contact with, care
10 of, or supervision over a person less than eighteen (18) years
11 of age;
12 (B) that has a job description that includes contact with, care
13 of, or supervision over an endangered adult (as defined in
14 IC 12-10-3-2), except the individual is not required to meet the
15 standard for harmed or threatened with harm set forth in
16 IC 12-10-3-2(a)(3);
17 (C) at a state institution managed by the office of the secretary

SB 160—LS 6430/DI 13+



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of family and social services or state department of health;
 (D) at the Indiana School for the Deaf established by
 IC 20-22-2-1;
 (E) at the Indiana School for the Blind and Visually Impaired
 established by IC 20-21-2-1;
 (F) at a juvenile detention facility;
 (G) with the Indiana gaming commission under IC 4-33-3-16;
 (H) with the department of financial institutions under
 IC 28-11-2-3; or
 (I) that has a job description that includes access to or
 supervision over state financial or personnel data, including
 state warrants, banking codes, or payroll information
 pertaining to state employees.

(2) Identification in a request related to an application for a
 teacher's license submitted to the department of education
 established by IC 20-19-3-1.

(3) Use by the state ~~boxing~~ **athletic** commission established under
 IC 25-9-1-1 for licensure of a promoter (as defined in
 IC 25-9-1-0.7) under IC 25-9-1.

(4) Use by the Indiana board of pharmacy in determining the
 individual's suitability for a position or employment with a
 wholesale drug distributor, as specified in IC 25-26-14-16(b),
 IC 25-26-14-16.5(b), IC 25-26-14-17.8(c), and IC 25-26-14-20.

An applicant shall submit the fingerprints in an appropriate format or
 on forms provided for the employment or license application. The
 department shall charge each applicant the fee established under
 section 28 of this chapter and by federal authorities to defray the costs
 associated with a search for and classification of the applicant's
 fingerprints. The department may forward fingerprints submitted by an
 applicant to the Federal Bureau of Investigation or any other agency for
 processing. The state personnel department or the agency to which the
 applicant is applying for employment or a license may receive the
 results of all fingerprint investigations.

(b) An applicant who is an employee of the state may not be charged
 under subsection (a).

(c) Subsection (a)(1) does not apply to an employee of a contractor
 of the state if the contract involves the construction or repair of a
 capital project or other public works project of the state.

SECTION 2. IC 22-12-1-23 IS AMENDED TO READ AS
 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 23. "Regulated place
 of amusement or entertainment" refers to the following:

(1) A theater, opera house, movie theater, dance hall, night club

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with a stage or floor show, or another place that offers an amusement or entertainment to the public for consideration or promotional purposes.

(2) A place where a boxing, **sparring, or unarmed combat match or** exhibition is conducted under the supervision of the state ~~boxing~~ **athletic** commission.

(3) A hall, gymnasium, or place of assembly where a school, college, university, social or fraternal organization, lodge, farmers organization, society, labor union, trade association, or church holds any type of amusement.

(4) A public or private place where a regulated amusement device is operated.

SECTION 3. IC 25-1-2-6, AS AMENDED BY P.L.3-2008, SECTION 176, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 6. (a) As used in this section, "license" includes all occupational and professional licenses, registrations, permits, and certificates issued under the Indiana Code, and "licensee" includes all occupational and professional licensees, registrants, permittees, and certificate holders regulated under the Indiana Code.

(b) This section applies to the following entities that regulate occupations or professions under the Indiana Code:

- (1) Indiana board of accountancy.
- (2) Indiana grain buyers and warehouse licensing agency.
- (3) Indiana auctioneer commission.
- (4) Board of registration for architects and landscape architects.
- (5) State board of barber examiners.
- (6) State board of cosmetology examiners.
- (7) Medical licensing board of Indiana.
- (8) Secretary of state.
- (9) State board of dentistry.
- (10) State board of funeral and cemetery service.
- (11) Worker's compensation board of Indiana.
- (12) Indiana state board of health facility administrators.
- (13) Committee of hearing aid dealer examiners.
- (14) Indiana state board of nursing.
- (15) Indiana optometry board.
- (16) Indiana board of pharmacy.
- (17) Indiana plumbing commission.
- (18) Board of podiatric medicine.
- (19) Private investigator and security guard licensing board.
- (20) State board of registration for professional engineers.

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- 1 (21) Board of environmental health specialists.
- 2 (22) State psychology board.
- 3 (23) Indiana real estate commission.
- 4 (24) Speech-language pathology and audiology board.
- 5 (25) Department of natural resources.
- 6 (26) State ~~boxing~~ **athletic** commission.
- 7 (27) Board of chiropractic examiners.
- 8 (28) Mining board.
- 9 (29) Indiana board of veterinary medical examiners.
- 10 (30) State department of health.
- 11 (31) Indiana physical therapy committee.
- 12 (32) Respiratory care committee.
- 13 (33) Occupational therapy committee.
- 14 (34) Social worker, marriage and family therapist, and mental
- 15 health counselor board.
- 16 (35) Real estate appraiser licensure and certification board.
- 17 (36) State board of registration for land surveyors.
- 18 (37) Physician assistant committee.
- 19 (38) Indiana dietitians certification board.
- 20 (39) Indiana hypnotist committee.
- 21 (40) Attorney general (only for the regulation of athlete agents).
- 22 (41) Manufactured home installer licensing board.
- 23 (42) Home inspectors licensing board.
- 24 (43) State board of massage therapy.
- 25 (44) Any other occupational or professional agency created after
- 26 June 30, 1981.

27 (c) Notwithstanding any other law, the entities included in
 28 subsection (b) shall send a notice of the upcoming expiration of a
 29 license to each licensee at least sixty (60) days prior to the expiration
 30 of the license. The notice must inform the licensee of the need to renew
 31 and the requirement of payment of the renewal fee. If this notice of
 32 expiration is not sent by the entity, the licensee is not subject to a
 33 sanction for failure to renew if, once notice is received from the entity,
 34 the license is renewed within forty-five (45) days of the receipt of the
 35 notice.

36 SECTION 4. IC 25-1-4-0.3, AS AMENDED BY P.L.2-2008,
 37 SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2009]: Sec. 0.3. As used in this chapter, "board" means any of
 39 the following:

- 40 (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 41 (2) Board of registration for architects and landscape architects
- 42 (IC 25-4-1-2).

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- 1 (3) Indiana athletic trainers board (IC 25-5.1-2-1).
- 2 (4) Indiana auctioneer commission (IC 25-6.1-2-1).
- 3 (5) State board of barber examiners (IC 25-7-5-1).
- 4 ~~(6) State boxing commission (IC 25-9-1).~~
- 5 ~~(7) (6)~~ Board of chiropractic examiners (IC 25-10-1).
- 6 ~~(8) (7)~~ State board of cosmetology examiners (IC 25-8-3-1).
- 7 ~~(9) (8)~~ State board of dentistry (IC 25-14-1).
- 8 ~~(10) (9)~~ Indiana dietitians certification board (IC 25-14.5-2-1).
- 9 ~~(11) (10)~~ State board of registration for professional engineers
- 10 (IC 25-31-1-3).
- 11 ~~(12) (11)~~ Board of environmental health specialists (IC 25-32-1).
- 12 ~~(13) (12)~~ State board of funeral and cemetery service
- 13 (IC 25-15-9).
- 14 ~~(14) (13)~~ Indiana state board of health facility administrators
- 15 (IC 25-19-1).
- 16 ~~(15) (14)~~ Committee of hearing aid dealer examiners
- 17 (IC 25-20-1-1.5).
- 18 ~~(16) (15)~~ Home inspectors licensing board (IC 25-20.2-3-1).
- 19 ~~(17) (16)~~ Indiana hypnotist committee (IC 25-20.5-1-7).
- 20 ~~(18) (17)~~ State board of registration for land surveyors
- 21 (IC 25-21.5-2-1).
- 22 ~~(19) (18)~~ Manufactured home installer licensing board
- 23 (IC 25-23.7).
- 24 ~~(20) (19)~~ Medical licensing board of Indiana (IC 25-22.5-2).
- 25 ~~(21) (20)~~ Indiana state board of nursing (IC 25-23-1).
- 26 ~~(22) (21)~~ Occupational therapy committee (IC 25-23.5).
- 27 ~~(23) (22)~~ Indiana optometry board (IC 25-24).
- 28 ~~(24) (23)~~ Indiana board of pharmacy (IC 25-26).
- 29 ~~(25) (24)~~ Indiana physical therapy committee (IC 25-27-1).
- 30 ~~(26) (25)~~ Physician assistant committee (IC 25-27.5).
- 31 ~~(27) (26)~~ Indiana plumbing commission (IC 25-28.5-1-3).
- 32 ~~(28) (27)~~ Board of podiatric medicine (IC 25-29-2-1).
- 33 ~~(29) (28)~~ Private investigator and security guard licensing board
- 34 (IC 25-30-1-5.2).
- 35 ~~(30) (29)~~ State psychology board (IC 25-33).
- 36 ~~(31) (30)~~ Indiana real estate commission (IC 25-34.1-2).
- 37 ~~(32) (31)~~ Real estate appraiser licensure and certification board
- 38 (IC 25-34.1-8).
- 39 ~~(33) (32)~~ Respiratory care committee (IC 25-34.5).
- 40 ~~(34) (33)~~ Social worker, marriage and family therapist, and
- 41 mental health counselor board (IC 25-23.6).
- 42 ~~(35) (34)~~ Speech-language pathology and audiology board

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(IC 25-35.6-2).

~~(36)~~ **(35)** Indiana board of veterinary medical examiners
(IC 25-38.1-2).

SECTION 5. IC 25-1-6-3, AS AMENDED BY P.L.3-2008,
SECTION 177, IS AMENDED TO READ AS FOLLOWS
[EFFECTIVE JULY 1, 2009]: Sec. 3. (a) The licensing agency shall
perform all administrative functions, duties, and responsibilities
assigned by law or rule to the executive director, secretary, or other
statutory administrator of the following:

(1) Indiana board of accountancy (IC 25-2.1-2-1).

(2) Board of registration for architects and landscape architects
(IC 25-4-1-2).

(3) Indiana auctioneer commission (IC 25-6.1-2-1).

(4) State board of barber examiners (IC 25-7-5-1).

~~(5) State boxing commission (IC 25-9-1).~~

~~(6)~~ **(5)** State board of cosmetology examiners (IC 25-8-3-1).

~~(7)~~ **(6)** State board of funeral and cemetery service (IC 25-15-9).

~~(8)~~ **(7)** State board of registration for professional engineers
(IC 25-31-1-3).

~~(9)~~ **(8)** Indiana plumbing commission (IC 25-28.5-1-3).

~~(10)~~ **(9)** Indiana real estate commission (IC 25-34.1).

~~(11)~~ **(10)** Real estate appraiser licensure and certification board
(IC 25-34.1-8-1).

~~(12)~~ **(11)** Private investigator and security guard licensing board
(IC 25-30-1-5.2).

~~(13)~~ **(12)** State board of registration for land surveyors
(IC 25-21.5-2-1).

~~(14)~~ **(13)** Manufactured home installer licensing board
(IC 25-23.7).

~~(15)~~ **(14)** Home inspectors licensing board (IC 25-20.2-3-1).

~~(16)~~ **(15)** State board of massage therapy (IC 25-21.8-2-1).

(b) Nothing in this chapter may be construed to give the licensing
agency policy making authority, which remains with each board.

SECTION 6. IC 25-1-7-1, AS AMENDED BY P.L.134-2008,
SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2009]: Sec. 1. As used in this chapter:

"Board" means the appropriate agency listed in the definition of
regulated occupation in this section.

"Director" refers to the director of the division of consumer
protection.

"Division" refers to the division of consumer protection, office of
the attorney general.

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- 1 "Licensee" means a person who is:
- 2 (1) licensed, certified, or registered by a board listed in this
- 3 section; and
- 4 (2) the subject of a complaint filed with the division.
- 5 "Person" means an individual, a partnership, a limited liability
- 6 company, or a corporation.
- 7 "Regulated occupation" means an occupation in which a person is
- 8 licensed, certified, or registered by one (1) of the following:
- 9 (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 10 (2) Board of registration for architects and landscape architects
- 11 (IC 25-4-1-2).
- 12 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
- 13 (4) State board of barber examiners (IC 25-7-5-1).
- 14 (5) State ~~boxing~~ **athletic** commission (IC 25-9-1).
- 15 (6) Board of chiropractic examiners (IC 25-10-1).
- 16 (7) State board of cosmetology examiners (IC 25-8-3-1).
- 17 (8) State board of dentistry (IC 25-14-1).
- 18 (9) State board of funeral and cemetery service (IC 25-15-9).
- 19 (10) State board of registration for professional engineers
- 20 (IC 25-31-1-3).
- 21 (11) Indiana state board of health facility administrators
- 22 (IC 25-19-1).
- 23 (12) Medical licensing board of Indiana (IC 25-22.5-2).
- 24 (13) Indiana state board of nursing (IC 25-23-1).
- 25 (14) Indiana optometry board (IC 25-24).
- 26 (15) Indiana board of pharmacy (IC 25-26).
- 27 (16) Indiana plumbing commission (IC 25-28.5-1-3).
- 28 (17) Board of podiatric medicine (IC 25-29-2-1).
- 29 (18) Board of environmental health specialists (IC 25-32-1).
- 30 (19) State psychology board (IC 25-33).
- 31 (20) Speech-language pathology and audiology board
- 32 (IC 25-35.6-2).
- 33 (21) Indiana real estate commission (IC 25-34.1-2).
- 34 (22) Indiana board of veterinary medical examiners (~~IC 25-5-1-1~~;
- 35 ~~IC 25-34.1-2~~).
- 36 (23) Department of natural resources for purposes of licensing
- 37 water well drillers under IC 25-39-3.
- 38 (24) Respiratory care committee (IC 25-34.5).
- 39 (25) Private investigator and security guard licensing board
- 40 (IC 25-30-1-5.2).
- 41 (26) Occupational therapy committee (IC 25-23.5).
- 42 (27) Social worker, marriage and family therapist, and mental

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health counselor board (IC 25-23.6).

(28) Real estate appraiser licensure and certification board (IC 25-34.1-8).

(29) State board of registration for land surveyors (IC 25-21.5-2-1).

(30) Physician assistant committee (IC 25-27.5).

(31) Indiana athletic trainers board (IC 25-5.1-2-1).

(32) Indiana dietitians certification board (IC 25-14.5-2-1).

(33) Indiana hypnotist committee (IC 25-20.5-1-7).

(34) Indiana physical therapy committee (IC 25-27).

(35) Manufactured home installer licensing board (IC 25-23.7).

(36) Home inspectors licensing board (IC 25-20.2-3-1).

(37) State department of health, for out-of-state mobile health care entities.

(38) State board of massage therapy (IC 25-21.8-2-1).

(39) Any other occupational or professional agency created after June 30, 1981.

SECTION 7. IC 25-1-8-1, AS AMENDED BY P.L.3-2008, SECTION 179, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. As used in this chapter, "board" means any of the following:

(1) Indiana board of accountancy (IC 25-2.1-2-1).

(2) Board of registration for architects and landscape architects (IC 25-4-1-2).

(3) Indiana auctioneer commission (IC 25-6.1-2-1).

(4) State board of barber examiners (IC 25-7-5-1).

(5) State ~~boxing~~ **athletic** commission (IC 25-9-1).

(6) Board of chiropractic examiners (IC 25-10-1).

(7) State board of cosmetology examiners (IC 25-8-3-1).

(8) State board of dentistry (IC 25-14-1).

(9) State board of funeral and cemetery service (IC 25-15).

(10) State board of registration for professional engineers (IC 25-31-1-3).

(11) Indiana state board of health facility administrators (IC 25-19-1).

(12) Medical licensing board of Indiana (IC 25-22.5-2).

(13) Mining board (IC 22-10-1.5-2).

(14) Indiana state board of nursing (IC 25-23-1).

(15) Indiana optometry board (IC 25-24).

(16) Indiana board of pharmacy (IC 25-26).

(17) Indiana plumbing commission (IC 25-28.5-1-3).

(18) Board of environmental health specialists (IC 25-32-1).

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- 1 (19) State psychology board (IC 25-33).
- 2 (20) Speech-language pathology and audiology board
- 3 (IC 25-35.6-2).
- 4 (21) Indiana real estate commission (IC 25-34.1-2-1).
- 5 (22) Indiana board of veterinary medical examiners
- 6 (IC 25-38.1-2-1).
- 7 (23) Department of insurance (IC 27-1).
- 8 (24) State police department (IC 10-11-2-4), for purposes of
- 9 certifying polygraph examiners under IC 25-30-2.
- 10 (25) Department of natural resources for purposes of licensing
- 11 water well drillers under IC 25-39-3.
- 12 (26) Private investigator and security guard licensing board
- 13 (IC 25-30-1-5.2).
- 14 (27) Occupational therapy committee (IC 25-23.5-2-1).
- 15 (28) Social worker, marriage and family therapist, and mental
- 16 health counselor board (IC 25-23.6-2-1).
- 17 (29) Real estate appraiser licensure and certification board
- 18 (IC 25-34.1-8).
- 19 (30) State board of registration for land surveyors
- 20 (IC 25-21.5-2-1).
- 21 (31) Physician assistant committee (IC 25-27.5).
- 22 (32) Indiana athletic trainers board (IC 25-5.1-2-1).
- 23 (33) Board of podiatric medicine (IC 25-29-2-1).
- 24 (34) Indiana dietitians certification board (IC 25-14.5-2-1).
- 25 (35) Indiana physical therapy committee (IC 25-27).
- 26 (36) Manufactured home installer licensing board (IC 25-23.7).
- 27 (37) Home inspectors licensing board (IC 25-20.2-3-1).
- 28 (38) State board of massage therapy (IC 25-21.8-2-1).
- 29 (39) Any other occupational or professional agency created after
- 30 June 30, 1981.

31 SECTION 8. IC 25-1-8-6, AS AMENDED BY P.L.105-2008,
 32 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2009]: Sec. 6. (a) As used in this section, "board" means any
 34 of the following:

- 35 (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 36 (2) Board of registration for architects and landscape architects
- 37 (IC 25-4-1-2).
- 38 (3) Indiana athletic trainers board (IC 25-5.1-2-1).
- 39 (4) Indiana auctioneer commission (IC 25-6.1-2-1).
- 40 (5) State board of barber examiners (IC 25-7-5-1).
- 41 ~~(6) State boxing commission (IC 25-9-1).~~
- 42 ~~(7)~~ (6) Board of chiropractic examiners (IC 25-10-1).

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- 1 ~~(8)~~ (7) State board of cosmetology examiners (IC 25-8-3-1).
- 2 ~~(9)~~ (8) State board of dentistry (IC 25-14-1).
- 3 ~~(10)~~ (9) Indiana dietitians certification board (IC 25-14.5-2-1).
- 4 ~~(11)~~ (10) State board of registration for professional engineers
- 5 (IC 25-31-1-3).
- 6 ~~(12)~~ (11) Board of environmental health specialists (IC 25-32-1).
- 7 ~~(13)~~ (12) State board of funeral and cemetery service
- 8 (IC 25-15-9).
- 9 ~~(14)~~ (13) Indiana state board of health facility administrators
- 10 (IC 25-19-1).
- 11 ~~(15)~~ (14) Committee of hearing aid dealer examiners
- 12 (IC 25-20-1-1.5).
- 13 ~~(16)~~ (15) Home inspectors licensing board (IC 25-20.2-3-1).
- 14 ~~(17)~~ (16) Indiana hypnotist committee (IC 25-20.5-1-7).
- 15 ~~(18)~~ (17) State board of registration for land surveyors
- 16 (IC 25-21.5-2-1).
- 17 ~~(19)~~ (18) Manufactured home installer licensing board
- 18 (IC 25-23.7).
- 19 ~~(20)~~ (19) Medical licensing board of Indiana (IC 25-22.5-2).
- 20 ~~(21)~~ (20) Indiana state board of nursing (IC 25-23-1).
- 21 ~~(22)~~ (21) Occupational therapy committee (IC 25-23.5).
- 22 ~~(23)~~ (22) Indiana optometry board (IC 25-24).
- 23 ~~(24)~~ (23) Indiana board of pharmacy (IC 25-26).
- 24 ~~(25)~~ (24) Indiana physical therapy committee (IC 25-27).
- 25 ~~(26)~~ (25) Physician assistant committee (IC 25-27.5).
- 26 ~~(27)~~ (26) Indiana plumbing commission (IC 25-28.5-1-3).
- 27 ~~(28)~~ (27) Board of podiatric medicine (IC 25-29-2-1).
- 28 ~~(29)~~ (28) Private investigator and security guard licensing board
- 29 (IC 25-30-1-5.2).
- 30 ~~(30)~~ (29) State psychology board (IC 25-33).
- 31 ~~(31)~~ (30) Indiana real estate commission (IC 25-34.1-2).
- 32 ~~(32)~~ (31) Real estate appraiser licensure and certification board
- 33 (IC 25-34.1-8).
- 34 ~~(33)~~ (32) Respiratory care committee (IC 25-34.5).
- 35 ~~(34)~~ (33) Social worker, marriage and family therapist, and
- 36 mental health counselor board (IC 25-23.6).
- 37 ~~(35)~~ (34) Speech-language pathology and audiology board
- 38 (IC 25-35.6-2).
- 39 ~~(36)~~ (35) Indiana board of veterinary medical examiners
- 40 (IC 25-38.1).
- 41 ~~(37)~~ (36) State board of massage therapy (IC 25-21.8-2-1).
- 42 (b) This section does not apply to a license, certificate, or

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1 registration that has been revoked or suspended.

2 (c) Notwithstanding any other law regarding the reinstatement of a
3 delinquent or lapsed license, certificate, or registration and except as
4 provided in section 8 of this chapter, the holder of a license, certificate,
5 or registration that was issued by the board that is three (3) years or less
6 delinquent must be reinstated upon meeting the following
7 requirements:

8 (1) Submission of the holder's completed renewal application.

9 (2) Payment of the current renewal fee established by the board
10 under section 2 of this chapter.

11 (3) Payment of a reinstatement fee established by the Indiana
12 professional licensing agency.

13 (4) If a law requires the holder to complete continuing education
14 as a condition of renewal, the holder:

15 (A) shall provide the board with a sworn statement, signed by
16 the holder, that the holder has fulfilled the continuing
17 education requirements required by the board; or

18 (B) shall, if the holder has not complied with the continuing
19 education requirements, meet any requirements imposed under
20 IC 25-1-4-5 and IC 25-1-4-6.

21 (d) Notwithstanding any other law regarding the reinstatement of a
22 delinquent or lapsed license, certificate, or registration and except as
23 provided in section 8 of this chapter, unless a statute specifically does
24 not allow a license, certificate, or registration to be reinstated if it has
25 lapsed for more than three (3) years, the holder of a license, certificate,
26 or registration that was issued by the board that is more than three (3)
27 years delinquent must be reinstated upon meeting the following
28 requirements:

29 (1) Submission of the holder's completed renewal application.

30 (2) Payment of the current renewal fee established by the board
31 under section 2 of this chapter.

32 (3) Payment of a reinstatement fee equal to the current initial
33 application fee.

34 (4) If a law requires the holder to complete continuing education
35 as a condition of renewal, the holder:

36 (A) shall provide the board with a sworn statement, signed by
37 the holder, that the holder has fulfilled the continuing
38 education requirements required by the board; or

39 (B) shall, if the holder has not complied with the continuing
40 education requirements, meet any requirements imposed under
41 IC 25-1-4-5 and IC 25-1-4-6.

42 (5) Complete such remediation and additional training as deemed

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appropriate by the board given the lapse of time involved.

(6) Any other requirement that is provided for in statute or rule that is not related to fees.

SECTION 9. IC 25-1-11-1, AS AMENDED BY P.L.3-2008, SECTION 181, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. As used in this chapter, "board" means any of the following:

- (1) Indiana board of accountancy (IC 25-2.1-2-1).
- (2) Board of registration for architects and landscape architects (IC 25-4-1-2).
- (3) Indiana auctioneer commission (IC 25-6.1-2).
- (4) State board of barber examiners (IC 25-7-5-1).
- (5) State ~~boxing~~ **athletic** commission (IC 25-9-1).
- (6) State board of cosmetology examiners (IC 25-8-3-1).
- (7) State board of registration of land surveyors (IC 25-21.5-2-1).
- (8) State board of funeral and cemetery service (IC 25-15-9).
- (9) State board of registration for professional engineers (IC 25-31-1-3).
- (10) Indiana plumbing commission (IC 25-28.5-1-3).
- (11) Indiana real estate commission (IC 25-34.1-2-1).
- (12) Real estate appraiser licensure and certification board (IC 25-34.1-8).
- (13) Private investigator and security guard licensing board (IC 25-30-1-5.2).
- (14) Manufactured home installer licensing board (IC 25-23.7).
- (15) Home inspectors licensing board (IC 25-20.2-3-1).
- (16) State board of massage therapy (IC 25-21.8-2-1).

SECTION 10. IC 25-1-14-2, AS AMENDED BY P.L.105-2008, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. (a) A member of a board, committee, or commission may participate in a meeting of the board, committee, or commission:

- (1) except as provided in subsections (b) and (c), at which at least a quorum is physically present at the place where the meeting is conducted; and
- (2) by using a means of communication that permits:
 - (A) all other members participating in the meeting; and
 - (B) all members of the public physically present at the place where the meeting is conducted;
 to simultaneously communicate with each other during the meeting.
- (b) A member of a board, committee, or commission may participate

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in an emergency meeting of the board, committee, or commission to consider disciplinary sanctions under IC 25-1-9-10 or IC 25-1-11-13 by using a means of communication that permits:

- (1) all other members participating in the meeting; and
- (2) all members of the public physically present at the place where the meeting is conducted;

to simultaneously communicate with each other during the meeting.

(c) A member of the state ~~boxing~~ **athletic** commission may participate in meetings of the commission to consider the final approval of a permit for a particular boxing, ~~or~~ sparring, **or unarmed combat** match or exhibition under IC 25-9-1-6(b) by using a means of communication that permits:

- (1) all other members participating in the meeting; and
- (2) all members of the public physically present at the place where the meeting is conducted;

to simultaneously communicate with each other during the meeting.

(d) A member who participates in a meeting under subsection (b) or (c):

- (1) is considered to be present at the meeting;
- (2) shall be counted for purposes of establishing a quorum; and
- (3) may vote at the meeting.

SECTION 11. IC 25-9-1-0.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 0.1. As used in this chapter, "boxing" means the art of attack and defense with the fists, or feet in the case of kick boxing, practiced as a sport.**

SECTION 12. IC 25-9-1-0.2 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 0.2. As used in this chapter, "commission" refers to the state athletic commission established by IC 25-9-1-1.**

SECTION 13. IC 25-9-1-0.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 0.3. As used in this chapter, "mixed martial arts" means the unarmed physical confrontation of persons involving the use, subject to limitations as established by the commission, of a combination of techniques from different disciplines of the martial arts, including grappling, kicking, and striking.**

SECTION 14. IC 25-9-1-0.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 0.4. As used in this chapter, "professional boxer" means a person who competes for money, teaches, pursues, or assists in the practice of boxing as a means to obtain a livelihood or**

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1 **pecuniary gain.**

2 SECTION 15. IC 25-9-1-0.6 IS ADDED TO THE INDIANA CODE
3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
4 1, 2009]: **Sec. 0.6. As used in this chapter, "sparring" means**
5 **combat in which participants intend to and actually:**

6 (1) **inflict kicks, punches, and blows; and**

7 (2) **apply other techniques;**

8 **that may reasonably be expected to inflict injury on an opponent**
9 **in a contest, exhibition, or performance.**

10 SECTION 16. IC 25-9-1-0.8 IS ADDED TO THE INDIANA CODE
11 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
12 1, 2009]: **Sec. 0.8. As used in this chapter, "unarmed combat"**
13 **means the practice, or any related practice, of mixed martial arts**
14 **or martial arts.**

15 SECTION 17. IC 25-9-1-0.9 IS ADDED TO THE INDIANA CODE
16 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
17 1, 2009]: **Sec. 0.9. As used in this chapter, "unarmed competitor"**
18 **means a person who competes for money, teaches, pursues, or**
19 **assists in the practice of mixed martial arts or martial arts as a**
20 **means of obtaining a livelihood or pecuniary gain.**

21 SECTION 18. IC 25-9-1-1 IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 1.** There is hereby
23 created a commission to be known as the state ~~boxing~~ **athletic**
24 commission, consisting of three (3) persons to be appointed by the
25 governor. The governor shall initially appoint one (1) of said
26 commissioners for a period of one (1) year, one (1) for a period of two
27 (2) years, and one (1) for a period of three (3) years; and upon the
28 expiration of the terms of such respective commissioners, the governor
29 shall appoint their successors, each to serve for a term of three (3)
30 years, and all to serve until their successors are appointed and
31 qualified. The members of the commission shall each be paid a salary
32 per diem for each day engaged in the discharge of ~~his~~ **the member's**
33 duties, and reimbursement for all necessary traveling and hotel
34 expenses expended outside the city of Indianapolis in accordance with
35 travel policies and procedures established by the department of
36 administration and the state budget agency.

37 SECTION 19. IC 25-9-1-3, AS AMENDED BY P.L.197-2007,
38 SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JULY 1, 2009]: **Sec. 3. (a) The executive director of the Indiana**
40 **professional licensing agency gaming commission** may appoint and
41 remove deputies for use by the commission. The commission shall,
42 when the commission considers it advisable, direct a deputy to be

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present at any place where sparring, ~~or~~ boxing, **or unarmed combat** matches or exhibitions are to be held under this chapter. The deputies shall ascertain the exact conditions surrounding the match or exhibition and make a written report of the conditions in the manner and form prescribed by the commission.

(b) ~~The licensing agency~~ **executive director of the Indiana gaming commission** may appoint and remove a secretary for the commission, who shall:

(1) keep a full and true record of all the commission's proceedings;

(2) preserve at its general office all the commission's books, documents, and papers;

(3) prepare for service notices and other papers as may be required by the commission; and

(4) perform other duties as the ~~licensing agency~~ **executive director of the Indiana gaming commission** may prescribe.

The ~~licensing agency~~ **executive director of the Indiana gaming commission** may employ only such clerical employees as may be actually necessary and fix their salaries as provided by law.

(c) **The executive director of the Indiana gaming commission or a deputy appointed under subsection (a) may, upon the request of the commission, execute orders, subpoenas, continuances, and other legal documents on behalf of the commission.**

~~(c)~~ (d) Each commissioner shall be reimbursed for all actual and necessary traveling expenses and disbursements incurred by them in the discharge of their official duties. All reimbursements for traveling expenses shall be in accordance with travel policies and procedures established by the Indiana department of administration and the budget agency. All expenses incurred in the administration of this chapter shall be paid from the general fund upon appropriation being made for the expenses.

SECTION 20. IC 25-9-1-4, AS AMENDED BY P.L.1-2006, SECTION 425, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 4. The commission shall maintain offices for the transaction of its business in the city of Indianapolis, Indiana, and may, with the approval of the **executive director of the Indiana professional licensing agency** ~~(IC 25-1-5-3)~~, **gaming commission**, incur the necessary expense for rent, office furniture, stationery, printing, and other incidental expense.

SECTION 21. IC 25-9-1-4.5, AS ADDED BY P.L.112-2007, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 4.5. In accordance with IC 35-45-18-1(b), the

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commission ~~shall~~ **may** adopt rules under IC 4-22-2 to ~~define~~ **regulate**
the conduct of the following:

- ~~(1) Ultimate fighting.~~
- ~~(2) Ultimate Fighting Championships.~~
- ~~(3) (1) Mixed martial arts.~~
- ~~(4) (2) Martial arts, including the following:~~
 - (A) Jujutsu.
 - (B) Karate.
 - (C) Kickboxing.
 - (D) Kung fu.
 - (E) Tae kwon do.
 - (F) Judo.**
 - (G) Sambo.**
 - (H) Pankration.**
 - (I) Shootwrestling.**
- ~~(5) (3) Professional wrestling.~~
- (4) Boxing.**
- (5) Sparring.**

SECTION 22. IC 25-9-1-5, AS AMENDED BY P.L.197-2007,
 SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 JULY 1, 2009]: Sec. 5. (a) Boxing, ~~and~~ sparring, **and unarmed**
combat matches or exhibitions for prizes or purses may be held in
 Indiana.

(b) The commission:

- (1) has the sole direction, management, control, and jurisdiction
 over all boxing, ~~and~~ sparring, **and unarmed combat** matches or
 exhibitions to be conducted, held, or given in Indiana; and
- (2) may issue licenses for those matches or exhibitions.

(c) A boxing, ~~or~~ sparring, **or unarmed combat** match or an
 exhibition that is:

- (1) conducted by any school, college, or university within Indiana;
- (2) sanctioned by United States Amateur Boxing, Inc.; ~~or~~
- (3) sanctioned by the National Martial Arts Federation and**
held at a venue with a seating capacity of less than five
thousand (5,000) spectators; or
- ~~(3) (4) without a prize or purse;~~

shall not be subject to the provisions of this chapter requiring a license.
 The term "school, college, or university" does not include a school or
 other institution for the principal purpose of furnishing instruction in
 boxing, or other athletics.

(d) No boxing, ~~or~~ sparring, **or unarmed combat** match or
 exhibition, except as provided in this article, shall be held or conducted

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1 within Indiana except under a license and permit issued by the ~~state~~
 2 ~~boxing~~ commission in accordance with the provisions of this chapter
 3 and the rules adopted under this chapter.

4 SECTION 23. IC 25-9-1-6, AS AMENDED BY P.L.197-2007,
 5 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2009]: Sec. 6. (a) The commission may:

7 (1) cause to be issued by the **executive director of the** Indiana
 8 ~~professional licensing agency gaming commission~~ under the
 9 name and seal of the ~~state boxing~~ commission, an annual license
 10 in writing for holding boxing, ~~or~~ sparring, **or unarmed combat**
 11 matches or exhibitions to any person who is qualified under this
 12 chapter; and

13 (2) adopt rules to establish the qualifications of the applicants.

14 (b) In addition to the general license, a person must, before
 15 conducting any particular boxing, ~~or~~ sparring, **or unarmed combat**
 16 match or exhibition where one (1) or more contests are to be held,
 17 obtain a permit from the ~~state boxing~~ commission.

18 (c) Annual licenses may be revoked by the commission upon
 19 hearing and proof that any holder of an annual license has violated this
 20 chapter or any rule or order of the commission.

21 (d) A person who conducts a boxing, ~~or~~ sparring, **or unarmed**
 22 **combat** match or exhibition without first obtaining a license or permit
 23 commits a Class B misdemeanor.

24 SECTION 24. IC 25-9-1-7, AS AMENDED BY P.L.197-2007,
 25 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2009]: Sec. 7. (a) Applications for licenses or permits to
 27 conduct or participate in, either directly or indirectly, a boxing, ~~or~~
 28 sparring, **or unarmed combat** match or exhibition shall be:

29 (1) made in writing upon forms prescribed by the ~~state boxing~~
 30 commission and shall be addressed to and filed with the **executive**
 31 **director of the** Indiana ~~professional licensing agency; gaming~~
 32 **commission; and**

33 (2) verified by the applicant, if an individual, or by some officer
 34 of the club, corporation, or association in whose behalf the
 35 application is made.

36 (b) The application for a permit to conduct a particular boxing, ~~or~~
 37 sparring, **or unarmed combat** match or exhibition, shall, among other
 38 things, state:

39 (1) the time and exact place at which the boxing, ~~or~~ sparring, **or**
 40 **unarmed combat** match or exhibition is proposed to be held;

41 (2) the names of the contestants who will participate and their
 42 seconds;

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- (3) the seating capacity of the buildings or the hall in which such exhibition is proposed to be held;
- (4) the admission charge which is proposed to be made;
- (5) the amount of the compensation percentage of gate receipts which is proposed to be paid to each of the participants;
- (6) the name and address of the person making the application;
- (7) the names and addresses of all the officers if the person is a club, a corporation, or an association; and
- (8) the record of each contestant from a source approved by the commission.

(c) The commission shall cause to be kept by the ~~licensing agency~~ **executive director of the Indiana gaming commission** proper records of the names and addresses of all persons receiving permits and licenses.

SECTION 25. IC 25-9-1-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 9. All promoters, either corporations or natural persons, physicians, referees, judges, timekeepers, matchmakers, professional boxers, **unarmed competitors**, ~~their managers of professional boxers or unarmed competitors~~, trainers and seconds, shall be licensed as provided in this chapter, and no such corporation or person shall be permitted to participate, either directly or indirectly, in any such boxing, ~~or sparring~~, **or unarmed combat** match or exhibition, or the holding thereof, unless such corporation and all such persons shall have first procured licenses. ~~For the purpose of this chapter a "professional boxer" is deemed to be one who competes for money or teaches or pursues or assists in the practice of boxing as a means of obtaining a livelihood or pecuniary gain; and any~~ **No** contest conforming to the rules, regulations and requirements of this chapter shall be deemed to be ~~a boxing match and not a prize-fight.~~

SECTION 26. IC 25-9-1-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 10. No permit or license may be issued to any person who has not complied with this chapter or who, prior to the applications, has failed to obey a rule, regulation or order of the ~~state boxing~~ commission. In the case of a club, corporation, or association, no license or permit may be issued to it if, prior to its application, any of its officers have violated this chapter or any rule, regulation or order of the ~~state boxing~~ commission. No promoters, physicians, referees, judges, timekeepers, matchmakers, ~~or~~ professional boxers, **unarmed competitors**, ~~their managers of professional boxers or unarmed competitors~~, trainers or seconds may be licensed if they are holders of a federal gambling stamp. A

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1 license or permit when issued shall recite that the person to whom it is
2 granted has complied with this chapter, and a license or permit is not
3 transferable.

4 SECTION 27. IC 25-9-1-11 IS AMENDED TO READ AS
5 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 11. The commission
6 shall have full power and authority to limit the number of boxing, ~~or~~
7 sparring, **or unarmed combat** matches or exhibitions to be held or
8 given by any person, club, organization, or corporation in any city or
9 town in this state.

10 SECTION 28. IC 25-9-1-12 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 12. (a) A person to
12 whom a permit is issued shall not:

- 13 (1) hold the match or exhibition at any other time or place;
- 14 (2) permit any other contestant to participate in the match or
15 exhibition;
- 16 (3) charge a greater rate or rates of admission; or
- 17 (4) pay a greater fee, compensation, or percentage to contestants
18 than that specified in the application filed prior to the issuance of
19 the permit.

20 (b) Notwithstanding subsection (a), in case of emergency the
21 commission may, upon application, allow a person to hold a boxing, ~~or~~
22 sparring, **or unarmed combat** match or exhibition wherever and
23 whenever it may deem fit within the city in which the person is located
24 and substitute contestants or seconds as circumstances may require.

25 SECTION 29. IC 25-9-1-13 IS AMENDED TO READ AS
26 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 13. In case the ~~state~~
27 ~~boxing~~ commission refuses to grant a license or permit to any
28 applicant, the applicant, at ~~his or its~~ **the applicant's** option, shall be
29 entitled to a hearing in the manner hereinafter provided, but if the ~~state~~
30 ~~boxing~~ commission, prior to such refusal, after a hearing, has found by
31 a valid finding that the applicant has been guilty of disobeying any rule,
32 regulation, or order, of the ~~state boxing~~ commission, or of any of the
33 provisions of this chapter, such applicant shall not be entitled to a
34 license or permit; and in case any boxing, ~~or~~ sparring, **or unarmed**
35 **combat** match, or exhibition has been conducted by any person, club,
36 corporation, or association under the provisions of this chapter, the
37 ~~state boxing~~ commission on its own motion, or on the petition of any
38 resident of the state of Indiana, under the provisions of IC 25-1-7, ~~and~~
39 ~~section 14 of this chapter~~, may conduct a hearing to determine whether
40 such person, club, corporation, or association has disobeyed any rule,
41 regulation, or order of the ~~state boxing~~ commission or has been guilty
42 of any violation of the provisions of this chapter.

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1 SECTION 30. IC 25-9-1-14.1 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 14.1. Any hearing by
 3 the ~~board~~ **commission** shall be in accordance with IC 4-21.5-3.

4 SECTION 31. IC 25-9-1-15, AS AMENDED BY P.L.197-2007,
 5 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2009]: Sec. 15. All buildings or structures used, or in any way
 7 to be used for the purpose of holding or giving therein boxing, ~~or~~
 8 sparring, **or unarmed combat** matches or exhibitions, shall be
 9 properly ventilated and provided with fire exits and fire escapes, if
 10 need be, and in all manner shall conform to the laws, ordinances, and
 11 regulations pertaining to buildings in the city or town where situated.

12 SECTION 32. IC 25-9-1-16, AS AMENDED BY P.L.197-2007,
 13 SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2009]: Sec. 16. (a) A person shall not:

15 (1) permit any person under the age of eighteen (18) years to
 16 participate in any boxing, ~~or~~ sparring, **or unarmed combat** match
 17 or exhibition;

18 (2) permit any gambling on the result of, or on any contingency in
 19 connection with, any boxing, ~~or~~ sparring, **or unarmed combat**
 20 match or exhibition conducted by it; or

21 (3) participate in or permit any sham or collusive boxing, ~~or~~
 22 sparring, **or unarmed combat** match or exhibition.

23 (b) A person who violates this section shall, in addition to any
 24 criminal penalty, have the person's license or permit revoked and be
 25 rendered ineligible for a license or permit at any future time.

26 SECTION 33. IC 25-9-1-17, AS AMENDED BY P.L.197-2007,
 27 SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2009]: Sec. 17. (a) A person shall not:

29 (1) participate in any sham or collusive boxing, ~~or~~ sparring, **or**
 30 **unarmed combat** match or exhibition where the match or
 31 exhibition is conducted by a licensed person; or

32 (2) being under the age of eighteen (18), participate in any
 33 boxing, ~~or~~ sparring, **or unarmed combat** match or exhibition.

34 (b) If a person violating this section is a licensed contestant in this
 35 state, the person shall for the first offense, in addition to the fine, suffer
 36 a revocation of the person's license or permit, and for a second offense
 37 be forever barred from receiving any license or permit or participating
 38 in any boxing, ~~or~~ sparring, **or unarmed combat** match or exhibition in
 39 Indiana.

40 (c) A person who gambles on the result of, or on any contingency in
 41 connection with, any boxing, ~~or~~ sparring, **or unarmed combat** match
 42 or exhibition and is convicted under IC 35-45-5 shall, in addition to any

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criminal penalty imposed, be penalized as provided in subsection (b).

SECTION 34. IC 25-9-1-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 18. (a) Each contestant for boxing, ~~or~~ sparring, **or unarmed combat** shall be examined within two (2) hours prior to entering the ring by a competent physician licensed under IC 25-22.5 appointed by the commission. The physician shall, if ~~he~~ **the physician** so finds the facts, certify in writing forthwith over ~~his~~ **the physician's** signature that each contestant is physically fit to engage in the contest, and the physician's certificate shall be delivered to the commission before the contest. The physician shall also mail the report of examination to the commission within a period of twenty-four (24) hours after the contest. Blank forms of physicians' reports shall be furnished to physicians by the commission, and questions on blank forms must be answered in full. No match, contest, or exhibition shall be held unless a licensed physician is in attendance. Any boxer **or unarmed competitor** who, in the opinion of the physician, is physically unfit to enter the match or exhibition shall be excused by the commission or its deputy. During the conduct of the match or exhibition, the physician may observe the physical condition of the boxers **or unarmed competitors** and advise the referee with regard thereto; and if, in the opinion of the physician, any contestant in any match or exhibition is physically unfit to continue, ~~he~~ **the physician** shall so advise the referee.

(b) No boxing or sparring match or exhibition may last more than twelve (12) rounds, and no one (1) round may last more than three (3) minutes. There must not be less than one (1) minute intermission between each round. The commission may in respect to any bout or in respect to any class of contestants limit the number of rounds of the bout within the maximum of twelve (12) rounds.

(c) Any contestant in a boxing or sparring match or an exhibition shall wear gloves of standard make, weighing not less than eight (8) ounces, and the gloves worn by each of the contestants shall be equal in weight.

(d) At each boxing, ~~or~~ sparring, **or unarmed combat** match or exhibition there must be in attendance, at the expense of the person conducting the match or exhibition, a duly licensed referee who shall direct and control the same. Before starting each contest, the referee shall ascertain from each contestant the name of his chief second, and shall hold the chief second responsible for the conduct of his assistant seconds during the contest. The referee may declare forfeited any remuneration or purse or any part thereof belonging to the contestants, or one (1) of them, if, in the referee's judgment, the contestant or

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1 contestants are not honestly competing. Any remuneration or purse, or
 2 part thereof, so forfeited shall be paid into the state treasury for the use
 3 of the state.

4 (e) There must also be in attendance at the expense of the person
 5 conducting the match or exhibition three (3) duly licensed judges who
 6 shall, at the termination of each boxing, ~~or~~ sparring, **or unarmed**
 7 **combat** match or exhibition render their decisions as to the winner.

8 (f) A person who holds any boxing, ~~or~~ sparring, **or unarmed**
 9 **combat** match or exhibition in violation of this section commits a Class
 10 A infraction.

11 (g) A physician who knowingly certifies falsely to the physical
 12 condition of any contestant commits a Class B infraction.

13 SECTION 35. IC 25-9-1-19, AS AMENDED BY P.L.197-2007,
 14 SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2009]: Sec. 19. (a) No contestant shall be permitted to
 16 participate in any boxing, ~~or~~ sparring, **or unarmed combat** match or
 17 exhibition unless duly registered and licensed with the ~~state boxing~~
 18 commission, which license must be renewed biennially. The license fee
 19 and the renewal fee shall not be less than five dollars (\$5) paid at the
 20 time of the application for the license or renewal.

21 (b) Any person who desires to be registered and licensed as a
 22 contestant shall file an application in writing with the **executive**
 23 **director of the** Indiana ~~professional licensing agency; gaming~~
 24 **commission**, which application shall, among other things, state:

- 25 (1) the correct name of the applicant;
- 26 (2) the date and place of the applicant's birth;
- 27 (3) the place of the applicant's residence; and
- 28 (4) the applicant's employment, business, or occupation, if any.

29 The application must be verified under oath of the applicant.
 30 Application for renewal license shall be in similar form.

31 (c) No assumed or ring names shall be used in any application nor
 32 in any advertisement of any contest, unless the ring or assumed name
 33 has been registered with the commission with the correct name of the
 34 applicant.

35 (d) Each application for license by a contestant or for a license
 36 renewal must be accompanied by the certificate of a physician residing
 37 within Indiana, who has been licensed as provided in this article, and
 38 has practiced in Indiana for not less than five (5) years, certifying that
 39 the physician has made a thorough physical examination of the
 40 applicant, and that the applicant is physically fit and qualified to
 41 participate in boxing, ~~or~~ sparring, **or unarmed combat** matches or
 42 exhibitions.

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SECTION 36. IC 25-9-1-20, AS AMENDED BY P.L.194-2005, SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 20. (a) The commission shall, upon **proper** application, ~~to the Indiana professional licensing agency,~~ grant licenses to competent referees and judges whose qualifications may be tested by the commission, and the commission may revoke any such license granted to any referee or judge upon such cause as the commission may deem sufficient. Such license must be renewed biennially. No person shall be permitted to act as referee or judge in Indiana unless holding such license.

(b) The application for license as referee, or renewal thereof, shall be accompanied by a fee established by the commission under IC 25-1-8-2.

(c) The commission shall appoint from among such licensed officials, all officials for all contests held under this chapter.

SECTION 37. IC 25-9-1-20.5, AS AMENDED BY P.L.197-2007, SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 20.5. The commission may declare any person who has been convicted of an offense under IC 35-48 ineligible to participate in any boxing, ~~or~~ sparring, **or unarmed combat** match or exhibition, or any other activity or event regulated by the commission, notwithstanding that the person may hold a valid license issued by the commission. The period of ineligibility shall be for not less than six (6) months nor more than three (3) years, as determined by the commission. If any such person shall be declared ineligible, the commission shall suspend such convicted person and declare the person ineligible to participate in any boxing, ~~or~~ sparring, **or unarmed combat** match or exhibition, or any other activity or event regulated by the commission, as soon as it discovers the conviction, but the period of ineligibility shall commence from the actual date of the conviction. During the period of ineligibility, the suspended person may reapply to the commission for a license in the manner provided, and the commission may rescind the prior order of suspension.

SECTION 38. IC 25-9-1-21, AS AMENDED BY P.L.197-2007, SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 21. (a) Any license provided for under this chapter may be revoked or suspended by the commission for reasons deemed sufficient under this chapter and under IC 25-1-11.

(b) If a person displays to the public credentials issued by the commission that:

- (1) have been revoked or suspended under this section or under sections 16, 17, and 20.5 of this chapter; or

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(2) have expired;
 the commission may act under this section, or the commission may
 declare the person ineligible for a period to be determined by the
 commission to participate in any boxing, ~~or~~ sparring, **or unarmed
 combat** match, exhibition, or other activity regulated by the
 commission.

SECTION 39. IC 25-9-1-22, AS AMENDED BY P.L.197-2007,
 SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 JULY 1, 2009]: Sec. 22. (a) Every person, club, corporation, firm, or
 association which may conduct any match or exhibition under this
 chapter shall, within twenty-four (24) hours after the termination
 thereof:

(1) furnish to the ~~Indiana professional licensing agency~~
commission by mail, a written report duly verified by that person
 or, if a club, corporation, firm, or association, by one (1) of its
 officers, showing the amount of the gross proceeds for the match
 or exhibition, and other related matters as the commission may
 prescribe; ~~and~~

(2) pay a tax of five percent (5%) of the price of admission
 collected from the sale of each admission ticket to the match or
 exhibition, which price shall be a separate and distinct charge and
 shall not include any tax imposed on and collected on account of
 the sale of any such ticket. Money derived from such state tax
 shall be deposited in the state general fund; **and**

**(3) pay all fees established by the commission necessary to
 cover the administrative costs of its regulatory oversight
 function.**

(b) Before any license shall be granted for any boxing, ~~or~~ sparring,
or unarmed combat match or exhibition in this state, a bond or other
 instrument that provides financial recourse must be provided to the
~~state boxing~~ commission. The instrument must be:

(1) in an amount determined by the commission;

(2) approved as to form and sufficiency of the sureties thereon by
 the commission;

(3) payable to the state of Indiana; and

(4) conditioned for the payment of the tax imposed, the officials
 and contestants, and compliance with this chapter and the valid
 rules of the commission.

SECTION 40. IC 25-9-1-22.5 IS AMENDED TO READ AS
 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 22.5. (a) Every person,
 club, corporation, firm, or association holding or showing any boxing,
~~or~~ sparring, **or unarmed combat** matches on a closed circuit telecast,

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1 pay per view telecast, or subscription television viewed within Indiana,
 2 whether originating within Indiana or another state, shall furnish the
 3 **executive director of the Indiana professional licensing agency**
 4 **gaming commission** a written report, under oath, stating the amount
 5 of gross proceeds thereof, and such other matter as the commission
 6 may prescribe, and shall, within seventy-two (72) hours after the
 7 showing of the contest, pay a tax of five percent (5%) of its total gross
 8 receipts for the showing of the boxing, ~~or~~ sparring, **or unarmed**
 9 **combat** match. Money derived from such state tax shall be placed in
 10 the state general fund.

11 (b) This section does not apply to a showing occurring at a private
 12 residence.

13 SECTION 41. IC 25-9-1-24, AS AMENDED BY P.L.197-2007,
 14 SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2009]: Sec. 24. The commission may appoint official
 16 representatives, designated as inspectors, each of whom shall receive
 17 from the commission a card authorizing the official representative to
 18 act as an inspector wherever the commission may designate the official
 19 representative to act. One (1) inspector or deputy shall be present at all
 20 boxing, ~~or~~ sparring, **or unarmed combat** matches or exhibitions, and
 21 see that the rules of the commission and the provisions of this chapter
 22 are strictly observed, and shall also be present at the counting up of the
 23 gross receipts, and shall immediately mail to the commission the final
 24 box-office statement received by ~~him~~ **the inspector or deputy** from the
 25 person or officers of the club, corporation, or association conducting
 26 the match or exhibition.

27 SECTION 42. IC 25-9-1-25 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 25. The weights and
 29 classes of boxers **and unarmed competitors** and the rules and
 30 regulations of boxing **and unarmed combat** shall be determined by the
 31 **state boxing** commission.

32 SECTION 43. IC 25-9-1-26, AS AMENDED BY P.L.197-2007,
 33 SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2009]: Sec. 26. All tickets of admission to any boxing, ~~or~~
 35 sparring, **or unarmed combat** match or exhibition shall clearly show
 36 their purchase price, and no such tickets shall be sold for more than the
 37 price printed on the tickets. It shall be unlawful for any person, club,
 38 corporation, or association to admit to such contest a number of people
 39 greater than the seating capacity of the place where such contest is
 40 held.

41 SECTION 44. IC 25-9-1-28, AS AMENDED BY P.L.1-2006,
 42 SECTION 426, IS AMENDED TO READ AS FOLLOWS

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[EFFECTIVE JULY 1, 2009]: Sec. 28. All fees received by the executive director of the Indiana professional licensing agency ~~(IC 25-1-5-3)~~ gaming commission on behalf of the commission under the provisions of this chapter shall be paid to the state treasurer to be placed by the treasurer in the general fund of the state.

SECTION 45. IC 25-9-1-34 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 34. The commission may adopt rules under IC 4-22-2 to administer this chapter.**

SECTION 46. IC 35-45-18-1, AS ADDED BY P.L.112-2007, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. (a) As used in this chapter, "combative fighting" (also known as "toughman fighting", "badman fighting", and "extreme fighting") means a match, contest, or exhibition that involves at least (2) contestants, with or without gloves or protective headgear, in which the contestants:

(1) use their:

(A) hands;

(B) feet; or

(C) both hands and feet;

to strike each other; and

(2) compete for a financial prize or any item of pecuniary value.

(b) The term does not include:

(1) a boxing, ~~or~~ sparring, ~~or unarmed combat~~ match regulated under IC 25-9;

(2) ultimate fighting, as defined by the state boxing commission in rules adopted under IC 25-9-1-4.5;

(3) Ultimate Fighting Championships, as defined by the state boxing commission in rules adopted under IC 25-9-1-4.5;

(4) (2) mixed martial arts as defined by the state boxing commission in rules adopted under IC 25-9-1-4.5; (as defined by IC 25-9-1-0.3).

(5) (3) martial arts, as defined regulated by the state boxing athletic commission in rules adopted under IC 25-9-1-4.5;

(6) (4) professional wrestling, as defined regulated by the state boxing athletic commission in rules adopted under IC 25-9-1-4.5;

or

(7) (5) a match, contest, or game in which a fight breaks out among the participants as an unplanned, spontaneous event and not as an intended part of the match, contest, or game.

SECTION 47. [EFFECTIVE JULY 1, 2009] **808 IAC 1-1.1-2, 808 IAC 1-1.1-3, and 808 IAC 1-1.1-4 are void. The publisher of the**

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1 **Indiana Administrative Code and Indiana Register shall remove**
2 **these sections from the Indiana Administrative Code.**

3 **SECTION 48. [EFFECTIVE JULY 1, 2009] (a) The rules adopted**
4 **by the state boxing commission before July 1, 2009, and in effect on**
5 **June 30, 2009, shall be treated after June 30, 2009, as the rules of**
6 **the state athletic commission.**

7 **(b) On July 1, 2009, the state athletic commission becomes the**
8 **owner of all personal property of the state boxing commission**
9 **abolished by this act.**

10 **SECTION 49. [EFFECTIVE JULY 1, 2009] Any rules adopted by**
11 **the Indiana professional licensing agency before July 1, 2009, and**
12 **in effect on June 30, 2009, that govern the state boxing commission**
13 **shall be treated after June 30, 2009, as the rules of the state athletic**
14 **commission established by IC 25-9-1-1, as amended by this act.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 160, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill be reassigned to the Senate Committee on Pensions and Labor.

(Reference is to SB 160 as introduced.)

LONG, Chairperson

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill No. 160, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 14, line 13, delete "." and insert "**or martial arts.**".

Page 14, line 18, after "arts" insert "**or martial arts.**".

Page 15, line 21, delete "Indiana gaming commission or the".

Page 15, line 23, delete "Indiana gaming commission or the".

Page 16, between lines 11 and 12, begin a new line double block indented and insert:

"(F) Judo.

(G) Sambo.

(H) Pankration.

(I) Shootwrestling."

Page 16, between lines 12 and 13, begin a new line block indented and insert:

"(4) Boxing.

(5) Sparring."

Page 16, line 26, strike "or".

SB 160—LS 6430/DI 13+



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Page 16, between lines 26 and 27, begin a new line block indented and insert:

"(3) sanctioned by the National Martial Arts Federation and held at a venue with a seating capacity of less than five thousand (5,000) spectators; or".

Page 16, line 27, strike "(3)" and insert "(4)".

Page 25, line 41, delete "Indiana gaming".

Page 27, line 4, delete "Indiana" and insert **"state athletic commission established by IC 25-9-1-1, as amended by this act."**

Page 27, delete line 5.

and when so amended that said bill do pass.

(Reference is to SB 160 as printed January 30, 2009.)

KRUSE, Chairperson

Committee Vote: Yeas 8, Nays 0.

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